

KATTEN MUCHIN ROSENMAN LLP
 50 Rockefeller Plaza
 New York, New York 10020
 (212) 940-8800

Attorneys for Defendant

**UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION)	
CORPORATION,)	Adv. Pro. No. 08-01789 (CGM)
Plaintiff,)	
v.)	SIPA Liquidation
)	(Substantively Consolidated)
BERNARD L. MADOFF INVESTMENT)	
SECURITIES, LLC,)	
Defendant.)	
In re:)	
BERNARD L. MADOFF,)	
Debtor.)	
IRVING H. PICARD, Trustee for the Liquidation of)	
Bernard L. Madoff Investment Securities LLC,)	Adv. Pro. No. 12-01207 (CGM)
Plaintiff,)	
v.)	
LLOYDS TSB BANK PLC,)	
Defendant.)	

NOTICE OF APPEAL

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Lloyds TSB Bank PLC (now known as Lloyds Bank plc)
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal: Defendant

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:
 - a) Order Denying Defendant Lloyds TSB Bank PLC's Motion to Dismiss the Complaint Under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) ("Order") [Doc. No. 106] (attached as Exhibit A);
 - b) Memorandum Decision Denying Defendant's Motion to Dismiss [Doc. No. 105] ("Memorandum") (attached as Exhibit B).
2. State the date on which the judgment, order, or decree was entered:
 - a) The Order was entered on July 12, 2022.
 - b) The Memorandum was entered on June 30, 2022.

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

- | | |
|--|---|
| 1. Party: <u>Plaintiff Appellee IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff</u> | Attorney: <u>David J. Sheehan</u>
<u>Matthew D. Feil</u>
<u>Matthew B. Friedman</u>
<u>Baker & Hostetler LLP</u>
<u>45 Rockefeller Plaza</u>
<u>New York, NY 10111</u>
<u>Tel: (212) 589-4200</u> |
| 2. Party: <u>Defendant-Appellant LLOYDS TSB BANK PLC</u> | Attorney: <u>Anthony L. Paccione</u>
<u>Mark T. Ciani</u>
<u>Katten Muchin Rosenman LLP</u>
<u>50 Rockefeller Plaza</u>
<u>New York, NY 10020</u>
<u>Tel: (212) 940-8800</u> |

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

[Not applicable: no Bankruptcy Panel in this District]

- ☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

s/ Anthony L. Paccione

Date: August 16, 2022

Signature of attorney for appellant(s) (or
appellant(s) if not represented by an attorney)

Name, address, and telephone number of
attorney (or appellant(s) if not represented by
an attorney):

Anthony L. Paccione
Mark T. Ciani
Katten Muchin Rosenman LLP
50 Rockefeller Plaza
New York, NY 10020
Tel: (212) 940-8800
anthony.paccione@katten.com
mark.ciani@katten.com

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[**Note to inmate filers:** If you are an inmate filer in an institution and you seek the timing benefit of Fed.R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]